

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DENNIS P. SWEENEY,

Plaintiff,

v.

THE STANDARD INSURANCE
COMPANY,

Defendant.

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Civil Action No.: 02-CV-4043

MOTION FOR SUMMARY JUDGMENT

Defendant, Standard Insurance Company (“Standard”), by and through its undersigned counsel, hereby moves for summary judgment on all counts of Plaintiff’s Amended Complaint. As is set forth in the attached Memorandum, the undisputed facts establish that Defendant did not violate the Employee Retirement Income Security Act (“ERISA”) by denying Plaintiff’s claim for long term disability benefits, and Defendant is entitled to judgment as a matter of law.

WHEREFORE, for the foregoing reasons, Defendant, Standard Insurance Company, respectfully requests that this Court grant its Motion for Summary Judgment. In support of this Motion, the Court's attention is respectfully directed to the Memorandum in Support attached hereto.

Respectfully submitted,

Jennifer E. Clark
Attorney for Defendant
Standard Insurance Company

Date: January 9, 2003.

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of January, 2003, a copy of the foregoing Defendant Standard Insurance Company's Motion for Summary Judgment, Memorandum in support, and proposed Order, was mailed, first class, postage prepaid to:

James T. Huber, Esquire
Huber & Waldron
535 Hamilton Mall, Suite 301
Allentown, PA 18101

Jennifer E. Clark